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Killing no Murder:

Briefly Diſcourſed in

Three QUESTIONS.

By *WILLIAM ALLEN.*

Col. Titus, K

And all the People of the land rejoyced, and the City was quiet, after that they had ſlain Athaliah *with the ſword.* 2 Chron. 23. 21. *Now after the time that* Amaziah *did turn away from following the Lord, they made a conſpiracy againſt him in* Jeruſalem, *and he fled to* Lachiſh: *but they ſent to* Lachiſh *after him, and ſlew him there.* 2 Chron. 25.27.

Reprinted in the YEAR 1689.

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IT is not any Ambition to be in print, when ſo few ſpare Paper and the Preſs, nor any Inſtigations of private Revenge or Malice (tho few that dare be honeſt now want their cauſes) that have prevailed with me to make my ſelf the Author of a Pamphlet, and to diſturb that Quiet which at preſent I enjoy, by his Highneſs's great Favour and Injuſtice. Nor am I ignorant to how little purpoſe I ſhall employ that time and pains, which I ſhall beſtow upon this Paper. For to think that any Reaſons or Perſwaſions of mine, or Convictions of their own, ſhall draw Men from any thing wherein they ſee Profit or Security, or to any thing wherein they fear Loſs, or ſee Danger, is to have a better opinion both of my ſelf and them, than either of us both deſerve.

Beſides, the Subject it ſelf is of that nature, that I am not only to expect danger from ill Men, but cenſure and diſallowance from many that are good; for theſe Opinions only look'd upon, not looked into (which all have not eyes for) will appear bloody and cruel; and theſe compellations I muſt expect from thoſe that have a Zeal, but not according to knowledg. If therefore I had conſidered my ſelf, I had ſpared whatever this is of pains, and not diſtaſted ſo many, to pleaſe ſo few as are in Mankind (the honeſt and the wiſe.) But at ſuch a time as this, when God is not only exerciſing us with a uſual and common Calamity, of letting us fall into Slavery that uſed our Liberty ſo ill; but is pleaſed ſo far to blind our Underſtandings, and to debaſe our Spirits, as to ſuffer us to court our Bondage, and to place it amongſt the Requeſts we put up to him; Indignation makes a Man break that ſilence that Prudence would perſwade him to uſe; if not to work upon other Mens Minds, yet to eaſe his own.

A late Pamphlet tells us of a great Deſign diſcovered againſt the Perſon of his Highneſs, and of the Parliaments coming (for ſo does that Junto profane that Name) to congratulate with his Highneſs, his happy Deliverance from that wicked and bloody Attempt. Beſides this, that they have ordered that God Almighty ſhall be mock'd with a Day of Thankſgiving (as I think the

World is with the Plot) and that the People ſhall give publick Thanks for the publick Calamity, that God is yet pleaſed to continue his Judgments upon them, and to fruſtrate all means that are uſed for their Deliverance. Certainly none will now deny that the Engliſh are a very thankful People. But I think if we had read in Scripture that the *Iſraelites* had cried unto the Lord, not for their own Deliverance, but the preſervation of their Task-Maſters, and that they had thanked God with Solemnity that *Pharaoh* was yet living, and that there was ſtill great hopes of the daily encreaſe of the number of their Bricks: Tho that People did ſo many things, not only impiouſly and prophanely, but ridiculouſly and abſurdly; yet certainly they did nothing we ſhould more have wondered at, than to have found them ceremoniouſly thankful to God for Plagues, that were commonly ſo brutiſhly unthankful for Mercies; and we ſhould have thought that *Moyſes* had done them a great deal of wrong, if he had not ſuffered them to enjoy their Slavery, and left them to their Tasks and Garlick.

I can with Juſtice ſay, my principal intention in this Paper is not to declaim againſt my Lord *Protector* or his Accomplices; for were it not more to juſtifie others than to accuſe them, I ſhould think their own Actions did that work ſufficiently, and I ſhould not take pains to tell the World what they knew before; my deſign is, to examin whether if there hath been ſuch a Plot as we hear of, and that it was contrived by Mr. *Sindercombe* againſt my L. *Protector*, and not by my L. *Protector* againſt Mr. *Sindercombe* (which is doubtful) whether it deſerves thoſe Epithites Mr. *Speaker* is pleaſed to give it, of bloody, wicked, and proceeding from the Prince of Darkneſs. I know very well how uncapable the Vulgar are of conſidering what is extraordinary and ſingular in every Caſe, and that they judg of things, and name them by their exterior appearances, without penetrating at all into their Cauſes or Natures: And without doubt when they hear the *Protector* was to be killed, they ſtrait conclude a Man was to be murthered, not a Malefactor puniſhed: For they think the Formalities do always make the things themſelves, and that 'tis the Judg and the Crier that makes the Juſtice, and the Goal the Criminal. And therefore when they read in the Pamphlet Mr. *Speaker*'s Speech, they certainly think he gives theſe Plotters their right Titles; and, as readily as a High Court of Juſtice, they condemn them, without ever examining whether they would have killed a Magiſtrate, or deſtroyed a Tyrant, over whom every Man is naturally

naturally a Judg and an Executioner, and whom the Laws of God, of Nature, and of Nations expose, like Beasts of Prey, to be destroyed as they are met.

That I may be as plain as I can, I shall first make it a question (which indeed is none) whether my Lord *Protector* be a Tyrant or not? Secondly, if he be, Whether it is lawful to do Justice upon him without Solemnity, that is, *to kill him?* Thirdly, If it be lawful, Whether it is likely to prove profitable or noxious to the Common-Wealth? *First Question.*

The Civil Law makes Tyrants of two sorts; *Tyrannus sine Titulo*, and *Tyrannus Exercitio*: The one is called a Tyrant because he hath no Right to govern; the other because he governs Tyrannically. We will briefly discourse of them both, and see whether the *Protector* may not with great Justice put in his claim to both Titles.

We shall sufficiently demonstrate who they are that have not a right to govern, if we shew who they are that have; and what it is that makes the Power just, which those that rule, have over the natural Liberty of other Men. To Fathers within their private Families Nature hath given a Supreme Power. Every Man, says *Aristotle* [a], of Right governs his Wife and Children; and this Power was necessarily exercised [b] every where, whilst Families lived dispersed, [c] before the Constitutions of Common-Wealths; and in many places it continued after, as appears by the Laws of *Solon*, and the most anceint of those of *Rome*. And indeed, as by the Laws of God [d] and Nature, the Care, Defence, and Support of the Family lies upon every Man whose it is; so by the same Law, there is due unto every Man from his Family a Subjection and Obedience, in compensation of that support. But several Families uniting themselves together to make up one Body of a Common-Wealth, and being independent one of another, without any natural Superiority or Obligation, nothing can introduce amongst them a disparity of Rule and Subjection, but some Power that is over them, which Power none can pretend to have but God and themselves: Wherefore all Power which is lawfully exercised over such a Society of Men (which from the end of its institution we call a Common-Wealth) must necessarily be derived either from the appointment of God Almighty, who is Supreme Lord of all and every part, or from the consent of the Society it self, who have the next Power to his, of disposing of their own Liberty, as they shall think fit for their own good. This Power God hath given to Societies of Men,

[a] *Pol.* l. 1. c. 1.
[b] *Gen.* 34. 24.
[c] *Arist.* ibid.
[d] 1 *Tim.* 5. 8.

Vid. Hooker Eccles. Pol. l. 1. c. 10.

[e] *Exod.* 21. 5. as well as he gave it to particular Persons, and when he interposes not his own Authority, and appoints not himself who shall be his Vice-Gerents, and rule under him; he leaves it to none but the People themselves to make the Election, whose benefit is the end of all Government. Nay, when he himself hath been pleased to appoint Rulers for that People, which he was pleased particularly to own; he many times made the Choice, but left the Confirmation [f] 1 *Sam.* 10. 1. and Ratification of that Choice to the People themselves. So *Saul* [f] was chosen by God, and anointed King by his Prophet, but made [g] 1 *Sam.* 12. 2. King by all the People at *Gilgal* [g]. *David* was anointed King [h] by [h] 1 *Sam.* 16. 13. the same Prophet; but was afterwards, after *Saul*'s Death, confirmed [i] 2 *Sam.* 2. 4. by the People of *Juda* [i], and seven Years after by the Elders of [k] 2 *Sam.* 5. 3. [k] *Israel*, the Peoples Deputies, at *Chebron*: And it is observable, that tho they knew that *David* was appointed King by God and anointed by his Prophet, yet they likewise knew that God allowed to themselves not only his Confirmation, but likewise the limitation [l] 2 *Sam.* 5. 3. of his Power; for before his Inauguration they made a League [l] with him; that is, obliged him by Compact to the performance of such Conditions as they thought necessary for the securing their Liberty. Nor is it less remarkable, that when God gives Directions to his People concerning their Government, he plainly leaves the Form to themselves: For he says not, when thou shalt have come into the Land which the Lord thy God gives thee, *Statues super te Regem*; [m] *Deut.* 17. 14. but, *Si* [m] *dixeris statuam.* God says not, Thou shalt appoint a King over thee: But if thou shalt say, I will appoint, leaving it to their choice, whether they would say so or no. And it is plain in that place, that God gives the People the choice of their King, for he there instructs them whom they shall choose, *E medio fratrum tuorum*, one out of the midst of thy Brethren; much more might we say, if it were a less manifest Truth, that all just Power of Government is founded upon these two Bases, of Gods immediate Command, or the Peoples Consent. And therefore, whosoever arrogates to himself that Power, or any part of it, that cannot produce one of those two Titles, is not a Ruler, but an Invader, and those that are subject to that Power, are not governed, but oppress.

This being considered, have not the People of *England* much reason to ask the *Protector* this Question; *Quis constituit te virum principem & judicem super nos?* Who made thee a Prince and a Judg over us? If God made thee, make it manifest to us: If the People, Where did we meet to do it? Who took our Subscriptions? To whom

whom deputed we our Authority? And when and where did those Deputies make the Choice? Sure these Interrogations are very natural, and I believe, would much trouble his Highness his Council, and his Junto to answer. In a word, that I may not tire my Reader (who will not want Proofs for what I say, if he wants not Memory) If to change the Government without the Peoples Consent: If to dissolve their Representatives by force, and disannul their Acts: If to give the name of the Peoples Representatives to Confederates of his own, that he may establish Iniquity by a Law: If to take away Mens Lives out of all course of Law, by certain Murtherers of his own appointment, whom he names *A High Court of Justice:* If to decimate Mens Estates, and by his own Power to impose upon the People what Taxes he pleases; and to maintain all this by force of Arms: If I say all this does make a Tyrant, his own Impudence cannot deny but he is as compleat a one as ever hath been since there have been Societies of Men. He that hath done, and does all this, is the Person for whose preservation the People of *England* must pray; but certainly if they do, 'tis for the same reason that the old Woman of *Syracuse* prayed for the long Life of the Tyrant *Dyonisius*, lest the Devil should come next.

Now, if instead of Gods Command, or the Peoples Consent, his Highness hath no other Title but Force and Fraud, which is to want all Title: And if to violate all Laws, and propose none to rule by, but those of his own will, be to exercise that Tyranny he hath usurp'd, and to make his Administration conformable to his Claim; then the first Question we proposed is a Question no longer.

But before we come to the second, being things are more easily perceived and found by the description of their *exterior Accidents and Qualities*, than the defining their Essences: It will not be amiss to see, whether his Highness hath not as well the outward Marks and Characters by which Tyrants are known, as he hath their *Nature and Essential* Properties: Whether he hath not the Skin of the Lion and Tail of the Fox, as well as he hath the Violence of the one and Deceit of the other. Now in this Delineation which I intend to make of a Tyrant, all the Lineaments, all the Colours, will be found so naturally to correspond with the Life, that it cannot but be doubted, whether his Highness be the Original or the Copy; whether I have in drawing the Tyrant represented him; or in representing him, expresst a Tyrant: And therefore lest I should be suspected to deal unsincerely with his Highness, and not to have applyed these follow-

ing

The Marks of a Tyrant. Arist. Pol. l. 5. c. 10. Vid. Mach. Discor. lib. 1. cap. 40.

ing Characters, but made them, I shall not give you any of my own stamping, but such as I find in *Plato*, *Aristotle*, *Tacitus*, and his Highness's own *Evangelist*, *Machiavell.*

1. Almost all Tyrants have been first Captains and Generals for the People, under pretences of vindicating or defending their Liberties. *Ut imperium evertant Libertatem præferunt; cum perverterunt, ipsam aggrediuntur*; says [a] *Tacitus* to subvert the present Government, they pretend Liberty for the People, when the Government is down, they then invade that Liberty themselves; this needs no Application.

[a] An. lib. 1. *Idem alibi cæterum libertas & speciosa nomina prætexuntur, nec quisquam alienam servitium, & Dominationem sibi concupivit, ut non eadem ista vocabula usurparet.*

Mach. Discor. lib. 2. cap. 13. [b] *Il. princ.* c. 9. [p] *Disc.* lib. 2. cap. 13. [q] *Princ.* c. 18.

2. Tyrants accomplish their Ends much more by Fraud than Force. Neither Virtue nor Force (says *Machiavel*) [b] are so necessary to that purpose, as *una Astutia fortunata*, a lucky Craft; which says he [p] without Force has been often found sufficient, but never Force without that. And in another place [q] he tells us their way is *Aggirare Icervelli de gli huomini con Astutia, &c.* With cunning plausible Pretences to impose upon Mens Understandings, and in the end they master those that had so little Wit as to rely upon their Faith and Integrity.

'Tis but unnecessary to say, that had not his Highness had a faculty to be fluent in his Tears, and eloquent in his Execrations: Had he not had spongie Eyes, and a supple Conscience; and besides to do with a People of great Faith but little Wit: His Courage and the rest of his Moral Virtues, with the help of his Janizaries, had never been able so far to advance him out of the reach of Justice, that we should have need to call for any other hand to remove him, but that of the Hangman.

3. They abase all excellent Persons, and rid out of the way all that have noble Minds. *Et terræ filios extollunt*, and advance Sons of the Earth.

Arist. Pol. l. 5. c. 11. *Plato de Rep.* lib. 8. ibid.

To put *Aristotle* into other words, they purge both Parliament and Army, till they leave few or none there, that have either Honor or Conscience, either Wit, Interest, or Courage to oppose their Designs. And in these Purgations (saith *Plato*) Tyrants do quite contrary to Physicians; for they purge us of our Humors, but Tyrants of our Spirits.

4. They

4. They dare ſuffer no Aſſemblies, not ſo much as Horſe-Races.

5. In all places they have their Spies and Dilators, that is, they have their *Fleetwoods*, their *Bronghals*, their *St. Johns*, (beſides innumerable ſmall Spies) to appear diſcontented and not to ſide with them; that under that diſguiſe they may get truſt, and make diſcoveries. They likewiſe have their Emiſſaries to ſend with forged Letters. If any doubt this let him ſend to Major General *Brown*, and he will ſatisfie him.

6. They ſtir not without a Guard, nor his Highneſs without his Life-guard.

7. They impoveriſh the People, that they may want the Power, if they have the Will to attempt any thing againſt them. His Highneſs way is by Taxes, Exciſe, Decimations, &c.

8. They make War to divert and buſie the People: and beſides to have a pretence to raiſe Moneys and to make new Levies, if they either diſtruſt their old forces, or think them not ſufficient. The War with *Spain* ſerveth his Highneſs to this purpoſe; and upon no other Juſtice was it begun at firſt, or is ſtill continued. *Ariſt.* ibid. *Ariſt.* ibid. Id. Ibid. & *Plato de Rep.* lib. 9. Id. ibid.

9. They will ſeem to honor and provide for good Men: that is, If the Miniſters will be Orthodox and Flatter; if they will wreſt and torture the Scripture to prove his Government lawful, and furniſh him with Title; his Highneſs will likewiſe be then content to underſtand Scripture in their favour, and furniſh them with Titles. *Ariſt.* ibid.

10. Things that are odious and diſtaſtful they make others Executioners of; and when the People are diſcontented, they appeaſe them with ſacrificing thoſe Miniſters they imploy. I leave it to his Highneſs's Major-Generals to ruminate a little upon this point. *Machiev. Pr.* cap. 19. Machiavel adds, *And do grateful things themſelves. But that I omit; for I really am unprovided of an inſtance for his Highneſs, for I have not yet heard of any good he hath done himſelf.*

11. In all things they pretend to be wonderful careful of the Publick; to give general Accompts of the Money they receive, which they pretend to be levied for the maintenance of the State, and the proſecuting of the War. His Highneſs made an excellent Comment upon this place of *Ariſtotle*, in his Speech to this Parliament. *Ariſt.* ibid. *Plato de Repub.* lib. 8. *Id. & Plut. paſſim.*

12. All things ſet aſide for Religious uſes they ſet to ſale; that while thoſe things laſt they may exact the leſs of the People. The Cavaliers would interpret this of the Dean and Chapters Lands.

13. They

13. They pretend Inſpirations from Gods, and Reſponces from Oracles to authoriſe what they do; his Highneſs hath been ever an Enthuriſt. And as *Hugh Capet*, in taking the Crown, pretended to be admoniſh'd to it in a dream by St. *Valery* and St. *Richard*; ſo I believe will his Highneſs do the ſame, at the Inſtigation of S. *Henry* and S. *Richard*, his two Sons.

14. Laſtly, Above all things they pretend a love to God and Religion. This *Ariſtotle* calls *Artuæ Tyrannicariæ potiſſimam*; the ſureſt and beſt of all the Arts of Tyrants; and we all know his High-
Hiſt. of Franc. neſs hath found it ſo by experience. He hath found indeed, that
Ibid. lib. 5 c. 11. in Godlineſs there is great gain; and that Preaching and Praying, well managed, will obtain other Kingdoms as well as that of Heaven. His indeed have been pious Arms, for he hath conquered moſt by thoſe of the Church, by Prayers and [r] Tears. But the truth is, were it not for our Honor to be governed by one that can manage both the Spiritual and Temporal Sword, and *Roman* like, to have our Emperor our High Prieſt, we might have had Preaching at a much cheaper rate, and it would have coſt us but our Tiths, which now coſts us all.

[r] *Preces & lacrymæ ſunt arma Eccleſiæ.*

Other Marks and Rules there are mentioned by *Ariſtotle* to know Tyrants by; but they being unſuitable to his Highneſs Actions, and impracticable by his Temper, I inſiſt not on them. As among
[s] *Pol.* l. 5. c. 11. other things [s] *Ariſtotle* would not have a Tyrant inſolent in his Behaviour, nor ſtrike People. But his Highneſs is naturally cholerick, and muſt call men Rogues, and go to cuffs. At laſt he concludes he ſhould ſo faſhion his manners, as neither to be really good, nor abſolutely bad, but half one, half t'other. Now this half good is too great a proportion for his Highneſs, and much more than his Temper will bear.

But to ſpeak Truths more ſeriouſly, and to conclude this firſt Queſtion. Certainly whatever theſe Characters make any man, it cannot be denied but his Highneſs is; and then if he be not a Tyrant, we muſt confeſs we have no definition nor deſcription of a Tyrant left us, and may well imagine there is no ſuch thing in nature, and that 'tis only a notion and a name. But if there be ſuch a Beaſt, and we do at all believe what we ſee and feel, let us now enquire, according to the method we propoſed, whether this be a Beaſt of Game that we are to give Law to, or a Beaſt of Prey to deſtroy with all means are allowable and fair?

In

In deciding this Queſtion Authors very much differ, as far as it concerns ſupreme Magiſtrates, who degenerate into Tyrants. Some think they are to be born with as bad [t] Parents, and place them in the number of thoſe miſchiefs [u] that have no other cure but our patience: others think they may be queſtioned by that ſupreme Law of the Peoples Safety, and that they are anſwerable to the Peoples Repreſentatives for the breach of their truſt. But none, of ſober ſenſe, make private Perſons Judges of their Actions; which were indeed to ſubvert all Government. But on the other ſide, I find none, that have not been frighted or corrupted out of their reaſon, that have been ſo great Enemies to common Juſtice and the Liberty of Mankind, as to give any kind of Indemnity to a Uſurper, who can pretend no Title but that of being ſtronger, nor challenge the Peoples Obedience upon any other obligation but that of their neceſſity and fear. Such a Perſon, as one out of all bounds of humane Protection, all Men make the *Iſhmael*, [w] againſt whom is every mans hand, as his is againſt every man. To him they give no more ſecurity, than *Cain*, his Fellow-murtherer and Oppreſſor, promiſed to himſelf, to be deſtroyed by him that found him firſt.

Whether it be lawful to kill a Tyrant?

[t] *Ames Parentem ſi æquus eſt; ſi non, feras.*

[u] *Sicut ſteriliſtatem, aut nimios imbres, &c. Tacit.*

[w] *Gen.* 16. 12.

The reaſon why a Tyrants caſe is particular, and why in that every man hath that Vengeance given him, which in other caſes is reſerved to God and the Magiſtrate, cannot be obſcure, if we rightly conſider what a Tyrant is, what his Crimes are, and in what ſtate he ſtands with the Commonwealth, and with every Member of it. And certainly if we find him an Enemy to all humane Society, and a Subverter of all Laws, and one that by the greatneſs of his Villanies ſecures himſelf againſt all ordinary courſe of Juſtice; we ſhall not at all think it ſtrange, if then he have no benefit from humane Society, no protection from the Law, and if, in his caſe, Juſtice diſpenſes with her Forms. We are therefore to conſider that the end for which Men enter into Society, is not barely to live, which they may do diſperſt, as other Animals, but to live happily, and a Life anſwerable to the dignity and excellency of their kind. Out of Society this Happineſs is not to be had; for ſingly we are impotent and defective, unable to procure thoſe things that are either of neceſſity or ornament for our Lives; and as unable to defend and keep them when they are acquired. To remedy theſe Defects, we aſſociate together, that what we can neither enjoy nor keep ſingly, by mutual benefits and aſſiſtances one

of another, we may be able to do both. We cannot possibly accompliſh theſe ends if we ſubmit our Paſſions and Appetites to the laws of Reaſon and Juſtice: for the depravity of Man's Will makes him as unfit to live in Society, as his neceſſity makes him unable to live out of it; and if that Perverſeneſs be not regulated by Laws, Mens Appetites to the ſame things, their Avarice, their Luſt, their Ambition, would quickly make Society as unſafe, or more, than Solitude it ſelf, and we ſhould aſſociate only to be nearer our miſery and our ruine. That therefore by which we accompliſh the ends of a ſociable Life, is our ſubjection and ſubmiſſion to Laws; theſe are the Nerves and Sinews of every Society or Commonwealth, without which they muſt neceſſarily diſſolve and fall aſunder. And indeed (as *Auguſtin* ſays) thoſe Societies where Law and Juſtice is not, are not Commonwealths or Kingdoms, but *Magna Latrocinia*, Great Confederacies of Thieves and Robbers: thoſe therefore that ſubmit to no Law, are not to be reputed in the Society of Mankind, which cannot conſiſt without a Law: therefore *Ariſtotle* [x] ſaith, Tyranny is againſt the Law of Nature, that is, the Law of humane Society, in which humane Nature is preſerved. For this reaſon they deny a Tyrant to be *Partem Civitatis*, for every part is ſubject to the whole; and a Citizen (ſays the ſame Author) [y] is he who is as well obliged to the duty of obeying, as he is capable of the power of commanding: and indeed he does obey whilſt he does command; that is, he obeys the Laws, which (ſays *Tully*) *Magiſtratibus præſunt, ut Magiſtratus præſunt populo*, are above the Magiſtrates, as the Magiſtrates are above the People. And therefore a Tyrant that ſubmits to no Law, but his Will and Luſt are the Law by which he governs himſelf and others, is no Magiſtrate, no Citizen or Member of any Society, but an Ulcer and a Diſeaſe that deſtroys it; and if it be rightly conſidered, a Commonwealth by falling into a Tyranny abſolutely loſes that name, and is actually another thing: *Non eſt civitas quæ unius eſt viri* (ſays *Sophocles*) That which is one Man's is no City. For there is no longer King and People, or Parliament and People, but thoſe Names are changed (at leaſt their Natures) into Maſters and Servants, Lord and Slaves; and *Servoræ non Civitas erit ſed magna Familia* (ſays *Grotius*) [z] Where all are Slaves, 'tis not a City but a great Family: and the truth is, we are all Members of *Whiteball*, and when our Maſter pleaſeth, he may ſend for us thither, and there bore through our Ears at the Door-poſts. But to conclude, a Tyrant

De Civit. Dei.

[x] *Pol.* lib. 3. c. 12.

[y] *Lib.* 3. *c.* 8.

[z] *De jur. bel.* l. 3. c. 8.

Tyrant, as we have ſaid, being no part of a Commonwealth, nor ſubmitting to the Laws of it, but making himſelf above all Law, there is no reaſon he ſhould have the Protection that is due to a Member of a Commonwealth, nor any defence from Laws, that does acknowledge none. He is therefore in all reaſon to be reckoned in the number of thoſe ſavage Beaſts, that fall not with others into any Herd, that have no other defence but their own Strength, making a Prey of all that's weaker, and, by the ſame Juſtice, being a Prey to all that's ſtronger than themſelves.

In the next place, let it be conſidered, that a Tyrant making himſelf above all Law, and defending his injuſtice by a ſtrength which no power of Magiſtrates is able to oppoſe, he becomes above all puniſhment, above all other juſtice than that he receives from the ſtroke of ſome generous hand: and certainly the ſafety of mankind were but ill provided for, if there were no kind of juſtice to reach great Villanies, but Tyrants ſhould be *Immunditiæ Scelerum tuti*, ſecured by the greatneſs of their Crimes. Our Laws would be then but Cobwebs indeed, made only to catch Flies, but not to hold Waſps or Hornets; and it might be then ſaid of all Commonwealths, what was ſaid of *Athens*, That there only ſmall Thieves were hanged, but the great ones were free, and condemned the reſt. But he that will ſecure himſelf of all hands, muſt know he ſecures himſelf from none: he that flies juſtice in the Court, muſt expect to find it in the Street; and he that goes armed againſt every man, arms every man againſt himſelf. *Bellum eſt in eos, qui judiciis coerceri non poſſunt*, (ſays *Cicero*) We have War with thoſe againſt whom we can have no Law. The ſame Author, *Cum duo ſint decertandi genera, &c.* There being two ways of deciding differences, the one by Judgment and Arbitration, the other by force; the one proper to Men, the other to Beaſts. We muſt have recourſe to the latter, when the former cannot be obtained. And certainly by the Law of Nature, *ubi ceſſat judicium*, when no juſtice can be had, every Man may be his own Magiſtrate, and do Juſtice for himſelf; for the Law (ſays *Grotius*) that forbids me to purſue my right but by a courſe of Law, certainly ſuppoſes, *Ubi copia eſt Judicii*, where Law and Juſtice is to be had; otherwiſe, that Law were a defence for Injuries, not one againſt them; and quite contrary to the nature of all Laws, would become the Protection of the Guilty againſt the Innocent, not of the Innocent againſt the Guilty. Now as it is contrary to the Laws of God and Nature, that Men,

Grot. de Bel. l. 1. c. *Ibid.*

Deut. 17.

who are partial to themſelves, and therefore unjuſt to others, ſhould be their own Judges, where others are to be had; ſo is it as contrary to the Law of Nature, and the common ſafety of Mankind, that when the Law can have no place, Men ſhould be forbidden to repel Force by Force, and ſo be left without all defence and remedy againſt Injuries. God himſelf left not the Slave without remedy againſt the cruel Maſter: and what Analogy can it hold with reaſon, that the Slave, that is but his Maſters Money, and but part of his Houſhold-ſtuff, ſhould find redreſs againſt the Injuries and Inſolencies of an imperious Maſter; and a free People, who have no Superiour but their God, ſhould have none at all againſt the Injuſtice and Oppreſſion of a barbarous Tyrant? And were not the Incongruity full as great, that the Law of God permitting every Man to kill a Thief, if he took him breaking open his houſe in the night; becauſe then it might be ſuppoſed he could not bring him to Juſtice: but a Tyrant, that is the common Robber of Mankind, and whom no Law can take hold on, his Perſon ſhould be, *Sacroſanct, cui nihil Sacrum aut Sanctum*, to whom nothing is ſacred, nothing inviolable? But the Vulgar judge ridiculouſly, like themſelves: the gliſter of things dazles their eyes, and they judge of them by their Appearances, and the colours that are put on them. For what can be more abſurd in Nature, and contrary to all common Senſe, than to call him Thief, and kill him, that comes alone, or with a few, to rob me; and to call him Lord Protector, and obey him, that robs me with Regiments and Troops? As if to
Ex. 21. rove with two or three Ships were to be a Pirate, but with fifty an Admiral? But if it be the number of Adherents only, not the Cauſe, that makes the difference between a Robber and a Protector: I wiſh that number were defined, that we might know where the Thief ends, and the Prince begins; and be able to diſtinguiſh between a Robbery and a Tax. But ſure no *Engliſhman* can be ignorant, that it is his Birth-right to be Maſter of his own Eſtate, and that none can command any part of it but by his own Grant and Conſent, either made expreſly by himſelf, or virtually by a Parliament. All other ways are mere Robberies in
Ex. 22. 2. other names: *Auferre, Trucidare, Rapere, falſis nominibus imperium, atque ubi ſolitudinem faciunt, pacem appellant*; To rob, to extort, to murder Tyrants falſly call'd to govern, and to make Deſolation, they call to ſettle Peace: in every Aſſeſſment we are robb'd; the Exciſe is Robbery; the Cuſtoms Robbery; and without

out doubt, whenever 'tis prudent, 'tis always lawful to kill the Thieves, whom we can bring to no other Justice: and not only lawful, and to do our selves right, but glorious, and to deserve of Mankind, to free the World of that common Robber, that universal Pirate, under whom, and for whom, the lesser Beasts prey. This Firebrand I would have any way extinguish'd; this Ulcer I would have any hand to lance: and I cannot doubt but God will suddenly sanctifie some hand to do it, and bring down that bloody and deceitful man, who lives not only to the misery, but the infamy of our Nation. *Tacit. in Vita Agric.*

I should have reason to be much less confident of the Justice of this Opinion, if it were new, and only grounded upon Collections and Interpretations of my own. But herein if I am deceived, I shall however have the Excuse to have been drawn into that Error, by the Examples that are left us by the greatest and most vertuous, and the Opinions of the wisest and gravest Men, that have left their Memories to posterity. Out of the great plenty of Confirmations I could bring for this Opinion from Examples and Authorities, I shall select a very few; for manifest Truths have not need of those Supports; and I have as little mind to tire my self as my Reader.

First therefore, A Usurper, that by only Force possesseth himself of Government, and by Force only keeps it, is yet in the state of War with every Man, says the Learned *Grotius*: and therefore every thing is lawful against him, that is lawful against an open Enemy, whom every private Man hath a Right to kill. *Hostis hostem occidere volui*, says *Scævola* to *Porsena*, when he was taken, after he had failed in his attempt to kill him; I am an Enemy, and an Enemy I would have killed; which every Man hath a Right to do. *de in Bel. lib 1. c 4. Luc. lib. 2.*

Contra publicos hostes, & Majestatis reos, omnis homo miles est, (says *Tertullian*) Against common Enemies, and those that are Traitors to the Common-Wealth, every Man is a Soldier: This Opinion the most celebrated Nations have approved both by their Laws and Practices. The Grecians (as *Xenophon* tells us) who suffered not Murderers to come into their Temples, in those very Temples they erected Statues to those that kill'd Tyrants, thinking it fit to place their Deliverers amongst their Gods. *Cicero* was an Eye-witness of the Honors that were done such Men, *Græci homines, &c.* The Greeks (saith he) attribute the Honors of the Gods to those that killed Tyrants: What have I seen in *Athens* and other Cities of *Greece*! What Religion paid to such Men! What Songs! What Elogies! By which *Pro Milone.*

they

they are consecrated to Immortality, and almost deifi'd! In *Athens*, by *Solon*'s Law, Death was not only decreed for the Tyrant that oppress'd the State, but for all those that took any Charge, [a] or did bear any Office while the Tyranny remained. And *Plato* tells us the ordinary Course they took with Tyrants in *Greece*. If (says he) the Tyrant cannot be expuls'd by accusing him to the Citizens, then by secret Practices they dispatch him.

Plut. in Solon.

[a] Let his Highness's Junto mark this.

De Repub. l. 8. *In Public.*

Amongst the Romans the *Valerian* Law was, *si quis injussu populi, &c.* Whosoever took Magistracy upon him, without the Command of the People, it was lawful for any Man to kill him. *Plutarch* makes this Law more severe, *Ut injudicatum occidere eum liceret, qui dominatum concupisceret.* That it was lawful by that Law, before any Judgment past, to kill him that but aspired to Tyranny. Likewise the Consular Law which was made after the suppression of the Tyranny of the Decemvirate, made it lawful to kill any Man that went about to create Magistrates, *sine Provocatione, &c.* Without Reference and Appeal to the People. By these Laws, and innumerable Testimonies of Authors, it appears, that the *Romans*, with the rest of their Philosophy, had learned from the *Grecians*, what was the natural Remedy against a Tyrant: Nor did they honor these less that durst apply it. Who as *Polybius* says (speaking of Conspiracies against Tyrants) were not *Deterrimi Civium, sed Generosissimi quique, & maximi Animi*; not the worst and meanest of the Citizens, but the most Generous, and those of greatest Virtue: So were most of those that conspired against *Julius Cesar*; he himself thought *Brutus* worthy to succeed him in the Empire of the World. And *Cicero*, who had the Title of *Pater Patriæ*; if he were not conscious of the Design; yet he at least affected the Honor of being thought so: *Quæ enim res unquam, &c.* What Act (says he) O *Jupiter* more glorious! More worthy of eternal Memory, hath been done not only in this City, but in the whole World! In this Design, as the *Trojan* Horse, I willingly suffer my self to be included with the Princes. In the same place he tells us what all vertuous *Romans* thought of the Fact as well as he: *Omnes boni, quantum in ipsis fuit, Cæsarem occiderunt: aliis consilium: aliis animus: aliis occasio defuit, voluntas nemini:* All good Men (saith he) as much as lay in them killed *Cesar:* some wanted Capacity; some Courage; others Opportunity; but none the Will to do it. But yet we have not declared the extent of their Severity against a Tyrant: They exposed him to Fraud, as well as Force, and left him no security in Oaths

Hist. lib. 6.

Philip. 2.

and

and Compacts; that neither Law nor Religion might defend him that violated both. *Cum Tyranno Romanis nulla fides, nulla jurisjurandi Religio,* ſaith *Brutus* in *Appian*; with a Tyrant the *Romans* think no Faith to be kept, obſerve no Religion of an Oath; *Seneca* gives the reaſon, *Quia quicquid erat, quo mihi cohæreret, &c.* For whatever there was of mutual Obligation betwixt us, his deſtroying the Laws of human Society, hath diſſolved; ſo theſe that thought that there was *in hoſtem nefas*, that a Villany might be committed againſt an Enemy: Theſe that profeſs'd, *Non minus juſte quam fortiter arma gerere*, to manage their Arms with Juſtice as well as Courage: Theſe that thought Faith was to be kept even with the perfidious; [b] yet they thought a Tyrant could receive no Injuſtice, but to be let live; and that the moſt lawful way to deſtroy him was the readieſt, no matter whether by Force or Fraud; for againſt Beaſts of Prey, Men uſe the Toyle and the Net, as well as the Spear and the Lance. But ſo great was their deteſtation of a Tyrant, that it made ſome take their Opinions from their Paſſions, and vent things which they could but ill juſtifie to their Morality; they thought a Tyrant had ſo abſolutely forfeited all Title to Humanity, and all kind of Protection they could give him or his; that they left his Wife without any other Guard for her Chaſtity but Age and Deformity; and thought it not Adultery what was committed with her. Many more Teſtimonies might I bring; for 'tis harder to make choice than to find plenty. But I ſhall conclude with Authorities that are much more authentick, and Examples we may much more ſafely imitate.

Appian. lib. 7. *De Benef.*

Sin. Id.

[b] *Regulus qui longum ſemper fama, &c. Senec. in Exerc.* 4. 7. *Mich. Ephes. ad* 5. *Nich.*

The Law of God it ſelf decreed certain [c] Death to that Man that would do preſumptuouſly, and ſubmit to no deciſion of Juſtice. Who can read this and think a Tyrant ought to live? But certainly, neither that, nor any other Law were to any effect, if there were no way to put it in execution. But in a Tyrants Caſe, Proceſs and Citation have no place, and if we will only have formal Remedies againſt him, we are ſure to have none. There's ſmall hopes of Juſtice where the Malefactor hath a Power to condemn the Judg.

[c] *Utique morietur vir ille, Deut.* 17. 12.

All remedy therefore againſt a Tyrant is *Ehud*'s Dagger, without which all our Laws were fruitleſs, and we helpleſs. This is that High Court of Juſtice where *Moſes* brought the *Egyptian*; whither *Ehud* brought *Eglon*; *Sampſon* the *Philiſtians*; *Samuel Agag*; and *Jehoiada* the ſhee-Tyrant *Athaliah*.

Let

Let us a little consider in particular these several Examples, and see whether they may be proportioned to our purpose.

First, as to the Case of *Moses* and the *Egyptian*: Certainly every Englishman hath as much Call as Moses, and more cause than he, to slay this *Egyptian* that is always laying on Burthens, and always smiting both our Brethren and our selves: For as to his Call, he had no other that we read of, but the necessity his Brother stood in of his help. He looked on his Brethrens Burthens, and seeing an *Egyptian* smiting an *Hebrew*, knowing he was out of the reach of all other kind of Justice, he slew him. Certainly this was and is as lawful for any Man to do, as it was for *Moses*, who was then but a private Man, and had no Authority for what he did, but what the Law of Nature gives every Man; to oppose Force to Force, and to make Justice where he finds none. As to the cause of that Action, we have much more to say than *Moses* had; he saw one *Hebrew* smitten, we many *Englishmen* murder'd; he saw his Brethrens Burdens and their Blows; we our Brethrens Burdens, Imprisonments and Deaths. Now sure if it were lawful for *Moses* to kill that *Egyptian* that oppress'd one Man, being there was no way to procure an ordinary course of Justice against him; it cannot be but absurd to think it unlawful to kill him [d] that oppresses a whole Nation, and one that Justice as little reaches as it defends.

Exod. 2. 11, 12.

[d] *Vid. Et. Governador Christiano.* cap. 8. pag. 40.

The Example of *Ehud* shews us the natural and almost the only remedy against a Tyrant, and the way to free an oppress People from the slavery of an insulting *Moabite*: 'tis done by Prayers and Tears, with the help of a Dagger, by [e] crying to the Lord, and the left hand of an *Ehud*. Devotion and Action go well together; for believe it, a Tyrant is not of that kind of Devil that is to be cast out by only Fasting and Prayer: and here the Scripture shews us what the Lord thought a fit message to send a Tyrant from himself; a Dagger of a Cubit in his Belly: and every worthy man that desires to be an *Ehud*, a Deliverer of his Country, will strive to be the Messenger.

[e] *Qualquiera ciudadano me de repeter la fuerca, &c.*

Judg. c. 3. v. 11. 19, 20. *v.* 15.

We may here likewise observe in this and many places of *Judges*, that when the *Israelites* fell to Idolatry, which of all Sins certainly is one of the greatest, God Almighty, to proportion the Punishment and the Offence, still delivered them into the hands of Tyrants, which sure is one of the greatest of all Plagues.

v. 20.

In

In the Story of *Samſon* 'tis manifeſt, that the denying him his Wife, and after the burning her and her Father; which tho they were great, yet were but private Injuries, he took for ſufficient grounds to make War upon the Philiſtines, being himſelf but a private Man, and not only not aſſiſted, but oppoſed by his ſervile Country-Men. He knew what the Law of Nature allowed him, where other Laws have no place, and thought it a ſufficient juſtification for ſmiting the Philiſtines Hip and Thigh, to anſwer for himſelf; that as they did unto him, ſo had he done unto them. *Judg.* 15. *v.* 11.

Now that which was lawful for *Samſon* to do againſt many Oppreſſors, why is it unlawful for us to do againſt one? Are our Injuries leſs? Our Friends and Relations are daily murder'd before our Faces: Have we other ways for reparation? Let them be named and I am ſilenc'd: But if we have none, the Fire-brands, or the Jaw-bone, the firſt Weapons our juſt Fury can lay hold on, may certainly be lawfully employed againſt that uncircumciſed Philiſtine that oppreſſes us. We have too the Oppoſition and Diſcouragements that *Samſon* had, and therefore have the more need of his Courage and Reſolution: As he had the Men of *Judah*, ſo we have the Men of *Levi*, crying to us out of the Pulpit, as from the top of the Rock *Etam*, *know you not that the Philiſtine is a ruler over you?* The truth is, they would fain make him ſo, and bind us with *Samſon* in new Cords, but we hope they will become as Flax, and that they will either looſe from our hands, or we ſhall have the Courage to cut them. *v.* 14.

Upon the ſame grounds of Retaliation did *Samuel* do Juſtice with his own Hand upon the Tyrant *Agag*: *As thy Sword* (ſays the Prophet) *hath made Women childleſs, ſo ſhall thy Mother be childleſs amongſt Women.* Nor is there any Law more natural and more juſt. 1 *Sam.* 15. 33.

How many Mothers has our *Agag*, for his own Ambition, made childleſs? How many Children fatherleſs? How many have this reaſon to hew this Amalekite in pieces before the Lord? And let his own Relations, and all theirs that are Confederates with him, beware, leſt Men come at laſt to revenge their own Relations in them. They make many a Woman husbandleſs, and many a Father childleſs. Their Wives may come at laſt to know what 'tis to want a Husband, and themſelves to loſe their Children. Let them remember what their great Apoſtle *Machiavel* tells them; That in Conteſtations for the preſerving their Liber- *in Diſcors.*

ty; People many times use Moderation; but when they come to vindicate it, their Rigor exceeds all mean, like Beasts that have been kept up, and are afterwards let loose, they always are more fierce and cruel.

2 *Kings* c. 11. To conclude with the Example *Jehoiada* hath left us: Six Years he hid the right Heir of the Crown in the House of the Lord, and without all doubt, amongst the rest of Gods services there he 2 *Chron.* 23. was all that time contriving the Destruction of the Tyrant, that had aspired to the Crown by the destruction of those that had the Right to it. *Jehoiada* had no pretence to authorize this Action, but the equity and justice of the Act it self: He pretended no immediate Command from God for what he did, nor any Authority from the *Sanedrym*, and therefore any Man might have done what *Jehoiada* did as lawfully, that could have done it as effectually as he. Now what Citation was given to *Athaliah*, what appearance was she call'd to before any Court of Justice? her Fact was her Tryal, she was without any expostulation taken forth of the 2 *Chron.* 23. 14. Ranges, and only let live till she got out of the Temple, that that holy Place might not be defiled by the Blood of a Tyrant, which was fitter to be shed on a Dung-hill; and so they slew her at the Horse-gate. And by the King's House, the very White-Hall where she had caused the Blood Royal to be spilt, and which her self had so long unjustly possess'd, there by Providence did she receive her Punishment, where she had acted so great a part of her Crimes. How the People approved of this glorious Action of destroying a Tyrant, this Chapter tells us at the last Verse: 2 *Chron.* 23. 21. *And all the people of the land rejoyced, and the city was quiet, after that they had slain* Athaliah *with the sword.* And that it may appear they no less honored the Authors of such Actions, than other Nations did; as in his life-time they obeyed *Jehoiada* as a King, 2 *Chron.* 24. 16. so after his Death, for the good he had done in *Israel* (saith the Scripture) they likewise buried him amongst the Kings.

Mr. Sindercombe's *Judg & jury may likewise consider of this Point.*

I must not conclude this Story without observing that *Jehoiada* commanded, that whosoever followed *Athaliah* should be put to death; letting us see what they deserve that are Confederates with Tyrants, and will side with them, and but appear to defend them, or allow them his Highness's Council, his Junto, and the Agaes of his Janizaries, may, if they please, take notice of this, and repent, lest they likewise perish. And likewise his Highness's Chaplains, and Tryers, who are to admit none into the Ministry

ſtry that will preach Liberty with the Goſpel, may, if they think fit, obſerve, that with the Tyrant fell *Mattan* the Prieſt of *Baal*. And indeed, none but *Baal*'s Prieſts will preach for Tyrants: And certainly thoſe Prieſts that ſacrifice to our *Baal*, our Idol of a Magiſtrate, deſerve as well to be hang'd before their Pulpits, as ever *Mattan* did to fall before his Altars. 2 *Chron.* 23. 17.

I ſhould think now I had ſaid much more than enough to the ſecond Queſtion, and ſhould come to the third and laſt I propoſed in my Method; but I meet with two Objections lying in my way: The firſt is, That theſe Examples out of Scripture are of Men that were inſpired of God, and that therefore they had that Call and Authority for their Actions, which we cannot pretend to, ſo that it would be unſafe for us to draw their Actions into Examples, except we had likewiſe their Juſtifications to alledg. *Object.* 1.

The other Objection is, That there being now no oppoſition made to the Government of his Highneſs, that the People following their Callings and Traffick at home and abroad, making uſe of the Laws, and appealing to his Highneſs's Courts of Juſtice: That all this argues the Peoples tacit Conſent to the Government; and that therefore now 'tis to be reputed lawful, and the Peoples Obedience voluntary. *Object.* 2.

To the firſt I anſwer with learned *Milton*, that if God commanded theſe things, 'tis a ſign they were lawful, and are commendable. But ſecondly, As I obſerved in the relations of the Examples themſelves: Neither *Samſon* nor *Samuel* alledged any other cauſe or reaſon for what they did, but Retaliation, and the apparent Juſtice of the Actions themſelves. Nor had God appeared to *Moſes* in the Buſh when he ſlew the Egyptian; nor did *Jehoiada* alledg any Prophetical Authority or other Call to do what he did, but that common Call which all Men have, to do all Actions of Juſtice that are within their power, when the ordinary courſe of Juſtice ceaſes. *Sol.* 1.

To the ſecond my Anſwer is, That if Commerce and Pleadings were enough to argue the Peoples conſent, and give Tyranny the name of Government; there was never yet any Tyranny of many Weeks ſtanding in this World. Certainly, we then extremely wrong *Caligula* and *Nero* in calling them Tyrants, and they were Rebels that conſpired againſt them; except we will believe, that all the while they reigned, that in *Rome* they kept their Shops ſhut, and opened not their Temples, or their *Sol.* 2.

Courts. We are likewise with no less absurdity to imagine, that the whole eighteen Years time which Israel served *Eglon*, and six Years that *Athaliah* reigned, that the Israelites quite desisted from Traffick, Pleadings, and all publick Acts; otherwise *Ehud* and *Jehoiada* were both Traitors, the one for killing his King, the other his Queen.

Having shewed what a Tyrant is, his Marks and Practices, I can scarce persuade my self to say any thing to that I made my third Question, Whether the removing him is like to prove of Advantage to the Commonwealth or not? for methinks 'tis to enquire whether 'tis better the Man die or the Impostume be lanc'd, or the gangreen'd Limb be cut off? But yet there be some whose Cowardice and Avarice furnish them with some Arguments to the contrary; and they would fain make the World believe, that to be base and degenerate, is to be cautious and prudent; and what is in truth a servile Fear, they falsly call a Christian Patience. It will not be therefore amiss to make appear that there is indeed that necessity which we think there is, of saving the Vineyard of the Commonwealth, if possible, by destroying the wild Boar that is broke into it. We have already shewed that it is lawful, and now we shall see whether it is expedient. First, I have already told you, That to be under a Tyrant is not to be a Commonwealth, but a great Family, consisting of Master and Slaves. *Vir bonus, servorum nulla est unquam civitas*, says an old Poet, A number of Slaves makes not a City. So that whilst this Monster lives we are not Members of a Commonwealth, but only his living Tools and Instruments, which he may employ to what use he pleases. *Servi tua est fortuna, Ratio ad te nihil*, says another; Thy condition is a Slave's, thou art not to enquire a Reason; nor must we think we can continue long in the condition of Slaves, and not degenerate into the habits and temper that is natural to that condition: our minds will grow low with our Fortune, and by being accustomed to live like Slaves, we shall become unfit to be any thing else. *Etiam fera animalia si clausa teneas virtutis obliviscuntur*, says *Tacitus*, [a] The fiercest Creatures, by long constraint, lose their Courage. And says Sir *Fr. Bacon*, The blessing of *Issachar* and that of *Judah* falls not upon one People, to be Asses crouching under Burdens, and to have the Spirit of Lions. And with their Courage 'tis no wonder if they lose their fortune, as the Effect with the Cause, and act as ignominiously abroad as they

Third Quest.

[a] *Hist.* lib. 4.

they ſuffer at home. 'Tis *Machiavel's* obſervation, that the *Roman* Armies that were always victorious under Conſuls, all the while they were under the ſlavery of the *Decemviri* never proſpered. And certainly People have reaſon to fight but faintly where they are to gain the Victory againſt themſelves; when every ſucceſs ſhall be a confirmation of their Slavery, and a new link to their Chain. *Diſcors* l. 1. c. 24.

But we ſhall not only loſe our Courage, which is a uſeleſs and an unſafe virtue under a Tyrant, but by degrees we ſhall, after the example of our Maſter, all turn perfidious, deceitful, irreligious, flatterers, and whatever elſe is villanous and infamous in Mankind. See but to what degree we are come already: can there any Oath be found ſo fortified by all religious Ties, which we eaſily find not a diſtinction to break, when either Profit or Danger perſuades us to it? Do we remember any Engagements, or if we do, have we any ſhame to break them? Can any Man think with patience upon what we have profeſſed, when he ſees what we wildly do, and tamely ſuffer? What have we of Nobility amongſt us but the name, the luxury and the vices of it? Poor Wretches; theſe that now carry that Title, are ſo far from having any of the Virtues, that ſhould grace and indeed give them their Titles, that they have not ſo much as the generous Vices that attend Greatneſs; they have loſt all Ambition and Indignation. As for our Miniſters, What have they, or indeed deſire they, of their Calling, but the Tythes? How do theſe horrid Prevaricators ſearch for diſtinctions to piece contrary Oaths? How do they rake Scriptures for flatteries? and impudently apply them to his monſtrous Highneſs? What is the City but a great tame Beaſt, that eats and carries, and cares not who rides it? What's the thing call'd a Parliament, but a mock? compoſed of a People that are only ſuffered to ſit there becauſe they are known to have no virtue, after the Excluſion of all others that were but ſuſpected to have any? What are they but Pimps of Tyranny, who are only employed to draw in the People to proſtitute their Liberty? What will not the Army fight for? What will they not fight againſt? What are they but Janizaries, Slaves themſelves, and making all others ſo? What are the People in general but Knaves, Fools, and Cowards, principled for Eaſe, Vice, and Slavery? This is our Temper, this Tyranny hath brought us to already; and if it continues, the little Virtue that is yet left to ſtock the Nation muſt totally extinguiſh; and *Doctor* Locker, *Dr.* Owen, *Mr.* Jenkins, *&c.* *Diſc.* l. 3. c. 3.

and then his Highneſs hath compleated his Work of Reformation. And the truth is, till then his Highneſs cannot be ſecure. He muſt not endure Virtue, for that will not endure him. He that will maintain Tyranny muſt kill *Brutus*, ſays *Machiavel*. A Tyrant, [d] ſays *Plato*, [d] muſt diſpatch all vertuous Perſons, or he cannot be ſafe; ſo that he is brought to that unhappy neceſſity, either to live amongſt baſe and wicked Perſons, or not to live at all.

[d] *de Repub.* l. 8.

Nor muſt we expect any cure from our Patience; *Inxanno ſi gli huomini*, ſays *Machiavel*, *credendo con la humilit à vincere la ſuperbia*. Men deceive themſelves that think to mollifie Arrogancy with Humility; a Tyrant is never modeſt but when he is weak; 'tis in the winter of his Fortune when this Serpent bites not: we muſt not therefore ſuffer our ſelves to be cozened with hopes of his Amendment; for, *Nemo unquam* [e] *Imperium flagitio quæſitum bonis artibus exercuit*, Never did any Man manage the Government with Juſtice that got it by Villany. The longer the Tyrant lives the more the Tyrannical Humor encreaſes in him, ſays [f] *Plato*, like thoſe Beaſts that grow more curſt as they grow old. New occaſions daily happen that neceſſitate them to new Miſchiefs; and he muſt defend one Villany with another.

Diſc. l. 2. c. 14.

[e] *Tacit. Hiſt.* l. 1.

[f] *de Repub.* l. 9.

But ſuppoſe the contrary of all this, and that his Highneſs were *vi Dominationis convulſus*, *& mutatus*, changed to the better by great fortune (of which he yet gives no Symptoms) what notwithſtanding could be more miſerable than to have no other ſecurity for our Liberty, no other Law for our Safety, than the Will of a Man, though the moſt juſt living? We have all our Beaſt within us; and whoſoever (ſays [g] *Ariſtotle*) is governed by a Man without a Law, is governed by a Man and by a Beaſt. *Etiam ſi non ſit moleſtus Dominus; tamen eſt miſerrimum poſſe ſi velit*, (ſays [h] *Tully*, Though a Maſter does not tyrannize, yet 'tis a moſt miſerable thing that 'tis in his power to do ſo if he will. If he be good, ſo was *Nero* for five Years; and how ſhall we be ſecure that he will not change? Beſides, the Power that is allowed to a good Man, we may be ſure will be claimed and taken by an ill; and therefore it hath been the cuſtom of good Princes [i] to abridge their own Power, it may be diſtruſting themſelves, but certainly fearing their Succeſſors, to the chance of whoſe being vertuous, they would not hazard the welfare of their People. An unlimited Power therefore is to be truſted to none, which if it does not find a Tyrant, commonly makes one; or if one uſes it mo-

[g] *Pol.* l. 3. c. 11.

[h] *Cic. Phil.* 4.

[i] *Lycurgus Theopomp. plut. in Lycurg.*

modeſtly 'tis no Argument that others will; and therefore *Auguſtus Ceſar* muſt have no greater Power given him than you would have *Tiberius* take. And [k] *Cicero*'s Moderation is to be truſted with a Conſideration, that there are others to be Conſuls as well as he.

[k] *Vid. Orat. Cæſaris in Salluſt. conſp. Cat.*

But before I preſs this buſineſs farther, if it needs be any farther preſt, that we ſhould endeavour to reſcue the Honor, the Virtue, and Liberty of our Nation, I ſhall anſwer to ſome few Objections that have occurred to me. This I ſhall do very briefly.

Some I find of a ſtrange Opinion, that it were a generous and a noble Action to kill his Highneſs in the Field; but to do it privately they think it unlawful, but know not why; as if it were not generous to apprehend a Thief till his Sword were drawn and he in a poſture to defend himſelf and kill me. But theſe People do not conſider that whoſoever is poſſeſſed of Power any time, will be ſure to engage ſo many either in Guilt or Profit, or both, that to go about to throw him out by open force, will very much hazard the total ruine of the Commonwealth. A Tyrant is a Devil that tears the Body in the exorciſing, and they are all of *Caligula*'s Temper, that if they could, they would have the whole frame of Nature fall with them. 'Tis an Opinion that deſerves no other Refutation than the manifeſt abſurdity of it ſelf; that it ſhould be lawful for me to deſtroy a Tyrant with Hazard, Blood, and Confuſion, but not without.

Sueton. in vit. Calig.

Another Objection, and more common, is the fear of what may ſucceed if his Highneſs were removed. One would think the World were bewitched. I am fallen into a Ditch where I ſhall certainly periſh if I lie; but I refuſe to be helped out for fear of falling into another: I ſuffer a certain miſery for fear of a contingent one, and let the Diſeaſe kill me becauſe there is hazard in the Cure. Is not this that ridiculous Policy, *Ne moriare, mori*, To dye for fear of dying. Sure 'tis frenzy not to deſire a change when we are ſure we cannot be worſe. *Et non incurrere in pericula, ubi quies centi paria metuuntur*, and not then to hazard, when the danger and the miſchiefs are the ſame in lying ſtill.

Seneca.

Hitherto I have ſpoken in general to all *Engliſhmen*; now I addreſs my Diſcourſe particularly to thoſe that certainly beſt deſerve that Name, our ſelves, that have fought, however unfortunately, for our Liberties under this Tyrant; and in the end, cozened

cozened by his Oaths and Tears, have purchaſed nothing but our Slavery with the price of our blood. To us particularly it belongs to bring this Monſter to Juſtice, whom he hath made the Inſtruments of his Villany, and Sharers in the Curſe and Deteſtation that is due to himſelf from all good men: others only have their Liberty to vindicate, we our Liberty and our Honor. We engaged to the People with him, and to the People for him, and from our hands they may juſtly expect a ſatisfaction of Puniſhment, being they cannot have that of Performance. What the People at preſent endure, and Poſterity ſhall ſuffer, will be all laid at our doors; for only we, under God, have the Power to pull down this Dagon which we have ſet up: and if we do it not, all Mankind will repute us Approvers of all the Villanies he hath done, and Authors of all to come. Shall we that would not endure a King attempting Tyranny, ſhall we ſuffer a profeſt Tyrant? We that reſiſted the Lyon aſſailing us, ſhall we ſubmit to the Wolf tearing us? If there be no remedy to be found, we have great reaſon to exclaim, *Utinam te potius (Carole) retinuiſſemus quam hunc habuiſſemus, non quod ulla ſit optanda ſervitus, ſed quod ex dignitate Domini minus turpis eſt conditio ſervi*, We wiſh we had rather endured thee (O *Charles*) than have been condemned to this mean Tyrant; not that we deſire any kind of Slavery, but that the quality of the Maſter ſomething graces the condition of the Slave.

Cic. in Epiſt. ad Octav.

But if we conſider it rightly, what our Duty, our Engagements, and our Honor exact from us, both our Safety and our Intereſt oblige us to; and 'tis as unanſwerable, in us, to Diſcretion as 'tis to Virtue, to let this Viper live: for firſt, he knows very well 'tis only we that have the power to hurt him, and therefore of us he will take any courſe to ſecure himſelf: he is conſcious to himſelf how falſly and perfidiouſly he hath dealt with us; and therefore he will always fear that from our Revenge, which he knows he hath ſo well deſerved.

Laſtly, he knows our Principles, how directly contrary they are to that Arbitrary Power he muſt govern by, and therefore he may reaſonably ſuſpect, that we that have already ventured our Lives againſt Tyranny, will always have the Will, when we have the Opportunity, to do the ſame again.

These Considerations will easily perſuade him to ſecure himſelf of us, if we prevent him not, and ſecure our ſelves of him. He reads in his Practice of Piety, *chi diviene Patron*, &c. He that makes himſelf Maſter of a City, that hath been accuſtomed to Liberty, if he deſtroys it not, he muſt expect to be deſtroyed by it. And we may read too in the ſame Author, and believe him, that thoſe that are the occaſion that one becomes powerful, always ruines them if they want the Wit and Courage to ſecure themſelves. *Mach. pr.* c. 5. *Ibid.* c. 3.

Now as to our Intereſt, we muſt never expect that he will ever truſt thoſe that he hath provoked and fears: he will be ſure to keep us down leſt we ſhould pluck down him. 'Tis the rule that Tyrants obſerve, when they are in Power never to make much uſe of thoſe that helped them to it; and indeed 'tis their Intereſt and Security not to do it: for thoſe that have been the Authors of their Greatneſs, being conſcious of their own merit, they are bold with the Tyrant, and leſs induſtrious to pleaſe him: they think all he can do for them is their due, and ſtill they expect more; and when they fail in their Expectations, (as 'tis impoſſible to ſatisfie them) their Diſappointments make them diſcontented, and their Diſcontents dangerous. Therefore all Tyrants follow the Example of *Dionyſius*, who was ſaid to uſe his Friends as he did his Bottles, When he had uſe for them he kept them by him; when he had none, that they ſhould not trouble him and lye in his way, he hung them up.

But to conclude this already over-long Paper, Let every Man to whom God hath given the Spirit of Wiſdom and Courage, be perſuaded by his Honor, his Safety, his own good and his Countries, and indeed the Duty he owes to his Generation, and to Mankind, to endeavour by all rational means to free the World of this Peſt. Let not other Nations have the occaſion to think ſo meanly of us, as if we reſolved to ſit ſtill and have our Ears bored, or that any Diſcouragements or Diſappointments can ever make us deſiſt from attempting our Liberty, till we have purchaſed it, either by this Monſters Death or by our own. Our Nation is not yet ſo barren of Virtue, that we want noble Examples to follow amongſt our ſelves. The brave *Sindercomb* hath ſhewed as great a Mind as any old *Rome* could boaſt of; and had he lived there, his

Name had been regiſtred with *Brutus* and *Cato*, and he had had his Statues as well as they.

But I will not have ſo ſiniſter an Opinion of our ſelves (as little Generoſity as Slavery hath left us) as to think ſo great a Virtue can want its Monuments even amongſt us. Certainly in every vertuous Mind there are Statues rear'd to *Sindercomb*. Whenever we read the Elogies of thoſe that have died for their Country; when we admire thoſe great Examples of Magnanimity, that have tired Tyrants Cruelties; when we extol their Conſtancy whom neither Bribes nor Terrors could make betray their Friends; 'tis then we erect *Sindercomb* Statues, and grave him Monuments; where all that can be ſaid of a great and noble Mind, we juſtly make an Epitaph for him: and though the Tyrant cauſed him to be ſmothered, leſt the People ſhould hinder an open Murder, yet he will never be able either to ſmother his Memory, or his own Villany. His Poiſon was but a poor and common Device to impoſe only on thoſe that underſtood not Tyrants Practices, and are unacquainted (if any be) with his Cruelties and Falſhoods. He may therefore, if he pleaſe, take away the Stake from *Sindercomb*'s Grave, and if he have a mind it ſhould be known how he died, let him ſend thither the Pillows and Feather-beds with which *Barkſtead* and his Hangman ſmothered him. But to conclude, Let not this Monſter think himſelf the more ſecure that he hath ſuppreſt one great Spirit, [1] he may be confident that *Longus poſt illum ſequitur ordo idem petentium decus.*

[1] *And what may* Ciccil *and* Toop *expect for their Treachery and Perjury?*

There's a great Roll behind, even of thoſe that are in his own Muſter-Rolls, and are ambitious of the name of the Deliverers of their Country; and they know what the Action is that will purchaſe it. His Bed, his Table, is not ſecure, and he ſtands in need of other Guards to defend him againſt his own. Death and Deſtruction purſues him wherever he goes; they follow him every where, like his Fellow-travellers, and at laſt they will come upon him like armed Men. Darkneſs is hid in his ſecret places, a Fire not blown ſhall conſume him; it ſhall go ill with him that is left in his Tabernacle. He ſhall flee from the Iron Weapon, and a Bow of Steel ſhall ſtrike him through. Becauſe he hath oppreſſed, and forſaken the Poor; becauſe he hath violently taken away a Houſe which he builded not;

Job 20.

Whitehall, Hampton-Court, *&c.*

v. 5.

not; we may be confident, and ſo may he, that ere long all this will be accompliſh'd; for the Triumphing of the Wicked is but ſhort, and the Joy of the Hypocrite but for a moment. Though his Excellency * mount up to the Heavens, and his Head reacheth unto the Clouds, yet he ſhall periſh for ever like his own Dung. They that have ſeen him ſhall ſay, Where is He?

* *He hath now left that Title for* Highneſs, *and will ſhortly leave that for* King.

POSTSCRIPT.

Courteous Reader,

EXpect another Sheet or two of Paper of this Subject, if I eſcape the Tyrant's hands, although he gets (in the interim) the Crown upon his Head, which he hath (under-hand) put his Confederates on to petition his acceptance thereof.

FINIS.

To his HIGHNESS

OLIVER CROMWELL.

May it pleaſe your Highneſs,

HOW I have ſpent ſome hours of the leiſure your Highneſs hath been pleaſed to give me, this following Paper will give your Highneſs an account; how you will pleaſe to interpret it I cannot tell, but I can with Confidence ſay, my intention in it is, to procure your Highneſs that Juſtice no body yet does you, and to let the People ſee the longer they defer it, the greater Injury they do both themſelves and you. To your Highneſs juſtly belongs the Honor of Dying for the People, and it cannot chooſe but be an unſpeakable Conſolation to you in the laſt moments of your Life, to conſider, with how much benefit to the World you are like to leave it. 'Tis then only (my Lord) the Titles you now uſurp will be truly yours, you will then be indeed the Deliverer of your Country, and free it from a Bondage little inferior to that from which *Moſes* delivered his: You will then be that True Reformer, which you would now be thought; Religion ſhall be then reſtored, Liberty aſſerted, and Parliaments have thoſe Priviledges they have fought for: We ſhall then hope that other Laws will have place beſides thoſe of the Sword, and that Juſtice ſhall be otherwiſe defined than the Will and Pleaſure of the ſtrongeſt; and we ſhall then hope Men will keep Oaths again, and not have the neceſſity of being falſe and perfidious to preſerve themſelves, and be like their Rulers: All this we hope from your Highneſs happy Expiration, who are the true Father of your Country; for while you live, we can call nothing ours, and it is from your Death that we hope for our Inheritances: Let this Conſideration arm and fortifie your Highneſſes Mind againſt the Fears of Death, and the Terrors of your evil Conſcience, that the Good you will do by your Death, will ſomewhat ballance the Evils of your Life. And if in the black Catalogue of High Malefactors, few can be found that have lived more to the Affliction and Diſturbance of Mankind, than your Highneſs hath done; yet your greateſt Enemies will not deny but there are likewiſe as few that have expired more to the univerſal Benefit of Mankind, than your Highneſs is like to do. To haſten this great good is the chief End of my writing this Paper, and if it have the Effects I hope it will, your Highneſs will quickly be out of the reach of Mens Malice, and your Enemies will only be able to wound you in your Memory, which Strokes you will not feel. That your Highneſs may be ſpeedily in this Security, is the univerſal Wiſhes of your grateful Country; this is the Deſires and Prayers of the good and of the bad, and it may be, is the only thing wherein all Sects and Factions do agree in their Devotions, and is our only common Prayer. But amongſt all that put in their Requeſts and Supplications for your Highneſs ſpeedy deliverance from all earthly Troubles, none is more aſſiduous nor more fervent than he, that with the reſt of the Nation hath the Honor to be (May it pleaſe your Highneſs)

Your Highneſs preſent Slave and Vaſſal,

W. A.

To all those Officers and Soldiers of the Army, that remember their Engagements, and dare be honest.

I *Heartily wish for* England *sake, that your Number may be far greater than I fear it is; and that his Highness's frequent Purgations may have left any amongst you, that by these Characters are concern'd in this Dedication. That I and all Men have reason to make this a doubt, your own Actions, as well as your tame Sufferings do but too plainly manifest. For you that were the Champions of our Liberty and to that purpose were raised, are not you become the Instruments of our Slavery? And your Hands that the People employed to take off the Yoke from our Necks, are not those the very Hands that now do put it on? Do you remember that you were raised to defend the Privileges of Parliament, and have Sworn to do it; and will you be imployed to force Elections, and dissolve Parliaments, because they will not establish the Tyrants Iniquity, and our Slavery by a Law? I beseech you, think upon what you have promised, and what you do, and give not Posterity, as well as your own Generation, the occasion to mention you with Infamy, and to curse that unfortunate Valor and Success of yours, that only hath gained Victories (as you use them) against the Common-Wealth. Could ever* England *have thought to have seen that Army that was never mentioned without the Titles of Religious, Zealous, Faithful, Couragious, the Fence of her Liberty at home, the Terror of her Enemies abroad, become her Goalers? Not her Guard, but her Oppressors? Not her Soldiers, but a Tyrant's Executioners, drawing to Blocks and Gibbets all that dare be honester than themselves? This you do, and this you are; nor can you ever redeem your own Honor, the Trust and Love of your Country, the Estimation of brave Men, or the Prayers of good, if you let not speedily the World see you have been deceived, which they will only then believe, when they see your Vengeance upon his faithless Head that did it: This if you defer too long to do, you will find too late to attempt, and your Repentance will neither vindicate you, nor help us. To let you see you may do this as a lawful Action, and to perswade you to it as a glorious one, is the principal intent of this following Paper: Which, whatever Effects it hath upon you, I shall not absolutely fail of my Ends; for if it excites not your Virtue and Courage, it will yet exprobrate your Cowardise and Baseness. This is from one that was once one amongst you, and will be so again when you dare be as you were.*